APPENDIX

There are set forth in this Appendix provisions of stockyard company regulations cited in this Brief. The provisions appear in company tariffs or schedules on file as public documents in the Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D. C.

The thirty terminal stockyard companies, portions of whose regulations are cited, are all members of the American Stock Yards Association. The provisions cited and here set forth exemplify that small part of the industry regulations that relates to (1) the "privilege" of doing business as a market agency at a terminal stockyard, (2) the right of a farmer or shipper to handle his livestock at a terminal stockyard without the assistance of a market agency, and (3) the various restrictions on solicitation and diversion by a market agency.

The cited provisions follow:

Baltimore: Union Stock Yard Company of Baltimore County, Maryland, Baltimore, Md. Tariff No. 11, effective August 8, 1955, and supplement No. 13, effective February 5, 1957.

The privilege of buying, selling, and/or trading in livestock on this market shall be subject to the following rules and regulations and such other rules of the management as are necessary for the proper conduct and operations of this market.

1. No person, firm or corporation shall engage in the livestock commission business or the business of dealing in livestock at these yards until such person, firm or corporation has entered into an agreement with the Stock Yard Company to observe and obey all rules and regulations adopted by the Stock Yard Company for the government of business at its Stock Yards . . .

3. Any owner or shipper of livestock who desire to handle and sell their own stock, without the assistance of com-

mission men or dealers, will be provided with suitable pens and given service equal to that furnished for stock handled through any other agency, and at the same rates for feed and service. . . .

6. No market agency, dealer or other person, firm, corporation, or association doing business on this market shall solicit or otherwise interfere with the owners, drivers, or attendants of incoming trucks, wagons, or driven-in livestock upon the streets adjacent to or upon the property of this Company prior to delivery of such livestock to the consignee; or solicit or otherwise attempt to cause the reconsignment of any livestock already consigned to any market agency and/or dealer doing business on this market.

14. No market agency or dealer engaging in business at this Stockyard shall, upon Stock Yard Company property, or elsewhere, nor shall any other person upon Stock Yard Company property—

(1) Solicit any business for other markets, for sale at outside feed yards or at country points, or endeavor to secure customers to sell or purchase livestock elsewhere; or

(2) In any manner divert or attempt to divert livestock from this market which would otherwise normally come to this stockyard; or

(3) Engage in any practice or device which would impair or interfere with the normal flow of livestock to the public market at this Stockyard.

Buffalo: The Buffalo Stock Yards, East Buffalo, N. Y. Tariff No. 11, effective March 7, 1957.

Privileges of buying, selling or trading in livestock on this market, shall be subject to the following rules and regulations and such other rules of the Management as are necessary for proper conduct and operation:

2. Owners or shippers not regularly engaged in business at the Buffalo Stock Yards, desiring to sell their own

livestock without the assistance of established commission firm, will be furnished suitable facilities to do so without furnishing bond, but subject to all rules and regulations of the Buffalo Stock Yards and at the discretion of the Buffalo Stock Yards. . . .

4. No Market agency, dealer, packer, buyer, or other person doing business on this market, shall solicit or otherwise interfere with owners, drivers, or attendants of incoming livestock upon the property of this Company, nor attempt to cause the reconsignment of livestock already consigned to a market agency on this market.

13. Any firm, corporation, or individual violating any of these rules and regulations, or detected using unfair, dishonest or fraudulent practices, or destroying, defacing or abusing property, or tampering with locks, gates, or doors of pens and buildings, may be denied the privilege of the market, excluded from the Stock Yards and treated as a Trespasser. . . .

Cincinnati: The Cincinnati Union Stock Yard Company, Cincinnati, Ohio. Tariff No. 12, effective May 1, 1956.

10. MISCELLANEOUS . . . No person shall solicit livestock consignments on the premises of the Company, or loiter on or about the unloading platforms. . . .

12. OWNERS OR SHIPPERS HANDLING THEIR OWN LIVESTOCK Owners and shippers desiring to handle and sell their own livestock without the assistance of a market agency, and agreeing to observe the rules of this Company, will be furnished service at the regular rates and such facilities as are available. . . .

13. VIOLATION OF RULES AND REGULATIONS Any person, his employees or agents, violating the rules adopted by this Company for the government of business at this Yard or using unfair, dishonest or fraudulent practices or committing illegal acts on the premises, or possessing or using keys to Company's private locks may be declared a trespasser and be denied the privileges of this Yard and dealt with accordingly.

Cleveland: The Cleveland Union Stock Yards Company, Cleveland, Ohio. Tariff No. 8, effective December 9, 1950.

The privilege of buying, selling, and/or trading in livestock on this market shall be subject to the following rules and regulations and to such other rules of the management as are reasonably necessary for the proper conduct and operation of this market:

Rule 1. OWNERS.

(b) Any owner may handle, offer for sale, and sell livestock upon this market, with or without the assistance of market agencies or dealers, and will be furnished with suitable pens and other facilities and given service equal to that furnished in connection with livestock handled and sold by market agencies, and at the same rates for feed and services. . . .

Rule 2. MARKET AGENCIES AND DEALERS.

(a) No person, firm, corporation or association will be permitted to engage in the business, as a market agency or dealer, of buying or selling, in commerce, livestock, on a commission basis or otherwise, or furnishing stockyard services, at this stockyard, without a license obtained from this Company, valid and effective at such time.

(d) Such license will be revoked by this Company whenever the licensee shall:

> (2) fail to comply with the provisions of the Packers and Stockyards Act, or of any regulation or order of the Secretary of Agriculture made thereunder, or of any rule or regulation of this Company, or of any rule adopted or approved by this Company to govern trading on this market; or of any condition of such license.

Rule 9. SOLICITATION.

No market agency, dealer, packer, buyer, or other person doing business on this market shall solicit or otherwise interfere with the owners, drivers, or attendants of incoming truck, wagon, or driven-in livestock upon the streets adjacent to or upon the property of this Company prior

to delivery of such livestock to the consignee; or solicit or otherwise attempt to cause the reconsignment of any livestock already consigned to any market agency doing business on this market.

Rule 14. Limitation on Privilege of Market.

Any person, firm, corporation or association, or any partner, officer, agent, or employee thereof, violating any of these rules and regulations, or using unfair, dishonest, or fraudulent practices in respect to any transaction on this market, or destroying, defacing, or abusing the property of this Company, or in any manner tampering with or unlocking the locks, gates, or doors of pens or buildings, or failing or refusing, when requested in writing, to satisfy this Company that such is not being and has not been done, shall be considered a trespasser and may be denied the privilege of this market, excluded from this stockyard and dealt with as a trespasser.

Denver: The Denver Union Stock Yard Company, Denver, Colo. Tariff No. 14, effective May 25, 1955.

1. The Privilege of the Market.

(b) This Company offers to grant to persons (which term includes individuals, partnerships, corporations, or associations) the privilege of selling, buying, or trading in livestock at this Market, or otherwise of engaging in appropriate business at this Stockyard, subject to the rates, charges, and regulations of this Company published and filed with the Secretary of Agriculture, the provisions of the Act, and the applicable regulations of the Secretary of Agriculture, and these and any other regulations, rules, or practices of this Company established for the conduct and operation of this Stockyard.

3. Owners of Livestock

(c) Any owner may handle, offer for sale, and sell livestock upon this Market without the assistance of a market agency, and will be furnished without discrimination reasonable facilities and services. . . .

4. MARKET AGENCIES

(b) No person will be permitted to engage in the business of selling or buying livestock on a commission basis or furnishing stockyard services as a market agency at this Market without the express permission of this Company.

(h) This Company reserves the right to revoke any permission, and withdraw the privilege of engaging in the market agency business at this Stockyard, granted to any person who fails to comply with the provisions of the Act, or the regulations, rules, or orders of the Secretary of Agriculture thereunder, or the regulations, rules, and practices of this Company; . . .

10. INTERFERENCE WITH OPERATIONS

(a) No person engaging in or doing business at this Stockyard shall solicit or otherwise interfere with the owners, carriers, or attendants of incoming livestock upon the property of this Company or upon the streets or rights of way adjacent thereto, prior to delivery of such livestock to the consignee, or solicit or otherwise attempt to cause the reconsignment of any livestock consigned to any market agency engaging in business at this Stockyard.

(b) No person shall by word or action undertake to sell, buy, or trade on any livestock at this Stockyard until such livestock has been delivered to the consignee; or interrupt or interfere with any trading in progress on this Market; or, without their permission, enter any pen in which a seller and buyer are trading on any livestock contained therein; or engage, trade on, sell, or buy any livestock outside of regular market hours.

(c) No market agency or dealer engaging in business at this Stockyard shall, upon Stock Yard Company property, or elsewhere, nor shall any other person upon Stock Yard Company property—

(1) Solicit any business for other markets, for sale at outside feed yards or at country points, or endeavor to secure customers to sell or purchase livestock elsewhere; or

(2) In any manner divert or attempt to divert livestock from this market which would otherwise normally come to this Stockyard; or

(3) Engage in any practice or device which would impair or interfere with the normal flow of livestock to the public market at this Stockyard.

The normal marketing area from which livestock would normally come to the Public Market at this Stockyard, and which is the area to which this subdivision (c) shall apply, is defined as all of the state of Colorado except that part listed as follows:

The area lying east of the line beginning with the westerly boundary of the County of Sedgwick where it interseets the Nebraska state line; thence south along the county line of Sedgwick and Phillips counties; thence west and south along the western boundary of Yuma county to its intersection with U. S. Highway 36; thence west to Cope and south along Colorado Highway 59 to Eads, Colorado; thence westerly along Highway 96 to Ordway; thence south on Highway 71 to Timpas; thence southwesterly via Highway 350 to Trinidad; thence south to New Mexico state line.

The provisions of paragraph (c) do not apply on livestock solely used for breeding purposes.

Detroit: Detroit Stock Yards, Detroit, Mich. Tariff No. 12, effective January 1, 1956.

2. Owners or shippers not regularly in business at the Detroit Stock Yards, desiring to sell their own livestock without the assistance of established commission firm, will be furnished suitable facilities to do so without furnishing bond, but subject to all rules and regulations of the Detroit Stock Yards and at the discretion of the Detroit Stock Yards. . . .

4. No market agency, dealer, packer, buyer, or other persons doing business on this market, shall solicit or otherwise interfere with owners, drivers, or attendants

of incoming livestock upon the property of this Company, nor attempt to cause the reconsignment of livestock already consigned to a market agency on this market.

12. Any firm, corporation, or individual violating any of these rules and regulations, or detected using unfair, dishonest, or fraudulent practices, or destroying, defacing or abusing property, or tampering with locks, gates or doors of pens and buildings, may be denied the privilege of the market, excluded from the Stock Yards and treated as a trespasser. . . .

Evansville: The Evansville Union Stock Yards Co., Evansville, Ind. Tariff No. 11, effective May 14, 1957.

The privilege of buying, selling, and/or trading in livestock on this market shall be subject to the following rules and regulations and to such other rules of the stockyard company as are reasonably necessary for the proper operation of the market.

Rule 1. OWNERS.

(b) Any owner may handle, offer for sale, and sell livestock upon this market, with or without the assistance of market agencies or dealers, and will be furnished with suitable pens and other facilities and given service equal to that furnished in connection with livestock handled and sold by market agencies, and at the same rates for feed and services. . . .

Rule 2. MARKET AGENCIES AND DEALERS.

1. No person, firm, corporation or association will be permitted to engage in the business as a market agency or dealer, of buying or selling, in commerce, livestock, on a commission basis or otherwise, or furnishing stockyard services, at this stockyard, without a license obtained from this Company, valid and effective at such time.

4. Such license will be revoked by this Company whenever the licensee shall:

(b) fail to comply with the provisions of the Packers and Stockyards Act, or of any regulation or order of the Secretary of Agriculture made thereunder, or of any rule or regulation of this Company, or of any rule, adopted or approved by this Company, to govern trading on this market, or of any condition of such license.

Rule 8. Limitation on Privilege of Market.

Any person, firm, corporation or association, or any partner, officer, agent, or employee thereof, violating any of these rules and regulations, or using unfair, dishonest, or fraudulent practices in respect to any transaction on this market, or destroying, defacing, or abusing the property of this Company, or in any manner tampering with or unlocking the locks, gates or doors of pens or buildings, or fai[illegible]g or refusing, when requested in writing, to satisfy this Company that such is not being and has not been done, shall be considered a trespasser and may be denied the privilege of this market, excluded from this stockyard and dealt with as a trespasser.

Rule 12. Solicitation.

No market agency, dealer or other person, firm, corporation, or association doing business on this market shall solicit or otherwise interfere with the owners, drivers, or attendants of incoming trucks, wagons, or driven-in livestock upon the streets adjacent to or upon the property of this Company prior to delivery of such livestock to the consignee, or solicit or otherwise attempt to cause the reconsignment of any livestock already consigned to any market agency and/or dealer doing business on this market.

Fargo: Union Stockyards Company of Fargo, West Fargo, N. D. Tariff No. 8, effective July 22, 1957.

3. (a) Any owners or shippers of livestock who desire to handle and sell their own stock without the assistance of a market agency will be provided with suitable pens and given service equal to that furnished for stock handled through any other agency,

and at the same rates for yardage, feed and service. . . .

8. No market agency, dealer or person receiving livestock at these yards shall solicit or otherwise interfere with, the owners, drivers, or attendants of incoming truck or driven-in stock upon the streets adjacent to or upon the property of this Company prior to delivery at unloading chutes.

9. Every person engaged in and doing business at this stockyards and every agent, officer, or employee of such person, shall comply with all rules, notices, warnings, and directions of this Company, including those relating to the maintenance and operation of this stockyards, the movement of livestock within the stockyards, the use of facilities, and the prevention of fire, waste of water, and other damage; no one other than authorized employees of this Company is allowed to have keys of this Company in his possession or to lock or unlock pens; and every person engaged in and doing business at this stockyards, or any officer, agent or employee thereof violating these rules or using unfair, dishonest or fraudulent practices, or destroying, defacing, or abusing the property of this Company, or tampering with or unlocking the locks, gates, or doors of pens or buildings when unauthorized to do so may be denied the privileges of these yards, treated as a trespasser and dealt with accordingly.

15. Rule for the establishment of business of buying and selling livestock in commerce or furnishing stockyards services:

(A) Except as provided in these regulations, no person, firm, corporation or association will be permitted to engage in the business as a market agency or dealer of buying or selling in commerce, livestock on a commission basis or otherwise, or furnishing stockyards services at this stockyards, without entering into a contract substantially in the form shown hereinafter, set out, with the Company for the conduct of such business. . . .

(D) Such contract will be cancelled and all privileges withdrawn and permission terminated and revoked

by this Company whenever the party to such a contract shall:

(2) fail to comply with the provisions of the Packers and Stockyards Act, or of any regulation or order of the Secretary of Agriculture made thereunder, or of any rule or regulation of this Company, or of any rule adopted or approved by this Company to govern trading on this market.

Fort Worth: Fort Worth Stockyards, Fort Worth, Texas. Tariff No. 7, effective August 30, 1954.

The privilege of buying, selling, and/or trading in livestock on this market shall be subject to the following rules and regulations and such other rules of the management as are necessary for the proper conduct and operations of this market:

1. No person, firm or corporation shall engage in the livestock commission business or the business of dealing in livestock at these yards until such person, firm or corporation has personally entered into a written agreement with the Fort Worth Stockyards to observe and obey all rules and regulations adopted by the Fort Worth Stockyards for the government of business at its Stockyards . . .

9. No market agency, dealer, or their employees shall solicit, or otherwise interfere with, the owners, drivers, attendants of incoming truck, wagon or drive-in stock upon streets adjacent to or upon the property of the Fort Worth Stockyards prior to delivery into chutes or holding pens.

13. Any person, firm or corporation, by themselves or their employees, violating these rules and regulations or using unfair, dishonest, or fraudulent practices may be denied the privileges of these yards, treated as a trespasser and dealt with accordingly.

Houston: Port City Stockyards Co., Inc., Houston, Texas. Tariff No. 4, Supplement No. 14, effective July 15, 1957.

13. RULES (7) No market agency or dealer engaging in business at this Stockyard shall, upon Stockyards Company Property, or streets adjacent thereto or elsewhere; nor shall any other person (including packer buyers) upon Stockyards Company Property, or streets adjacent thereto:

(a) Solicit any business for other markets, for sale at outside feed yards or at country points, or endeavor to secure customers to sell or purchase livestock elsewhere; or

(b) In any manner divert or attempt to divert livestock from this market which would otherwise normally come to this Stock Yard; or

(c) Engage in any practice or device which would impair or interfere with the normal flow of livestock to the public market at this stockyard.

Indianapolis: Belt Rail Road and Stock Yards Company, Indianapolis, Ind. Tariff No. 8, effective October 1, 1950.

The privilege of buying, selling, and/or trading in livestock on this market shall be subject to the following rules and regulations and to such other rules of the Company as are reasonably necessary for the proper conduct and operation of this market:

Rule 2. LICENSING MARKET AGENCIES AND/OR DEALERS.

(A) No person, firm, corporation or association will be permitted to engage in the business, as a market agency and/or dealer, of buying or selling, in commerce, livestock, on a commission basis or otherwise, or furnishing stockyard services, at this stockyard, without a license obtained from this company, valid and effective at such time.

(D) Such license will be revoked by this company whenever the Licensee shall

(2) fail to comply with provisions of the Packers & Stockyards Act, 1921 as amended, or of any regulation or order of the Secretary of Agriculture made thereunder, or of any rule or regulation of this company, or of any rule adopted or approved by this company to govern trading on this market, or of any condition of such license, .

Rule 10. SOLICITATION.

No market agency, dealer or other person, firm, corporation, or association doing business on this market shall solicit or otherwise interfere with the owners, drivers, or attendants of incoming trucks, wagons, or driven-in livestock upon the streets adjacent to or upon the property of this Company prior to delivery of such livestock to the consignee; or solicit or otherwise attempt to cause the reconsignment of any livestock already consigned to any market agency and/or dealer doing business on this market.

Market Agency and/or Dealer License

License No. .....

A License is Hereby Granted By

The Belt Rail Road and Stock Yards Company

(Hereinafter for convenience referred to as Licensor)

to .....
(hereinafter called the Licensee), to engage in business as a market agency and/or dealer, as defined in the Packers & Stock Yards Act, 1921, as amended, at the Stock Yards operated by Licensor, in Indianapolis, Indiana subject to the following conditions:

5. The Licensee shall not buy Livestock on a commission basis or otherwise outside of the Stock Yards operated by Licensor, nor shall the Licensee conduct its business in such a manner that it is in competition with the business of the public market operated by Licensor in Indianapolis, Indiana, however, this provision shall not apply to

(a) a person, firm, corporation or association regularly employed by meat packers to purchase livestock for slaughter;

(b) the bona fide purchase and/or sale of livestock for feeding, breeding or dairy purposes only.

11. The Licensor reserves the sole right to revoke this License if the Licensee violates any of its conditions, or discontinues in business as a market agency and/or dealer at its stock yards; however, before the Licensor exercises its right to revoke as aforesaid, the Licensee shall be granted a hearing before a Board composed of two (2) officers of the The Belt Rail Road And Stock Yards Company, two (2) representatives of the market agencies, one (1) representative of the Producers Commission Association, one (1) representative of the order buyers, and one (1) representative of the dealers, whose recommendations shall be submitted to the Licensor, however, after receiving said recommendation, the decision of the Licensor shall be final.

14. This license shall expire, unless sooner revoked, at midnight on the 31st day of December, 19 .....

License granted ..... 19.....

License granted by

The Belt Rail Road and Stock Yards Company

By .....

Kansas City: Kansas City Stock Yards Company, Kansas City, Mo. Tariff No. 12, effective August 23, 1954.

Rule 2. Any firm, corporation, or individual, by themselves, or their employees, violating the rules adopted by the Kansas City Stock Yards Company for the government of business at these yards, or detected using unfair, dishonest, or fraudulent practices, may be denied the privileges of the stock yards, treated as a trespasser, and dealt with accordingly.

Rule 8. No persons, firm or corporation shall engage in the livestock commission business or the business of dealing in livestock at these yards until such person, firm or corporation has entered into an agreement with this Com-

pany to observe and obey all rules and regulations adopted by this Company for the government of business at its stock yards . . .

Rule 9. No person, operating as a market agency or dealer, as the same are defined by the Packers and Stockyards Act, 1921, or as a commission agency, trader, order buyer or speculator on the Kansas City Stock Yards, shall at the same time engage in any business operations, practice or device which is competitive with the public market at Kansas City and which has or tends to have as its result or effect the destruction of, interference with, impairment of or lessening of the business carried on at such public market or the destruction, impairment or lessening of or interference with such market or the property, assets, good will or business of the Kansas City Stock Yards Company.

Nothing contained in the foregoing rule shall prohibit any person from buying, selling, or otherwise trading in live stock at some public stockyards other than the Kansas City Stock Yards.

The Kansas City Stock Yards Company reserves the right and privilege of denying any person violating this rule (No. 9) the use of the services and facilities of the Kansas City Stock Yards Company, and reserves to itself the privilege of treating any such violator as a trespasser.

Rule 10. No market agency or person, without the express permission of the Stock Yards Company, in writing, shall solicit any business in the Yards,—for other markets, —sales at outside feed yards,—or at country points,—or endeavor while on the premises of the Kansas City Stock Yards Company to secure customers to sell or purchase livestock elsewhere.

Rule 14. No person, while on the property of the Kansas City Stock Yards Company, will be permitted to solicit the purchase of, or to purchase or otherwise acquire, any live stock while the same is loaded in cars, trucks or other vehicles and prior to the unloading and yarding thereof, in the regular course of business. . . .

Los Angeles: Los Angeles Union Stockyards Co., Los Angeles, Calif. Tariff No. 16, effective February 10, 1957.

1. THE PRIVILEGE OF THE MARKET

(b) This Company offers to grant to persons (which term includes individuals, partnerships, corporations, or associations) the privilege of selling, buying, or trading in livestock at this Market, or otherwise of engaging in appropriate business at this Stockyard, subject to the rates, charges, and regulations of this Company published and filed with the Secretary of Agriculture, the provisions of of the Act, and the applicable regulations of the Secretary of Agriculture, and these and any other regulations, rules, or practices of this Company established for the conduct and operation of this Stockyard.

3. OWNERS OF LIVESTOCK

(c) Any owner many handle, offer for sale, and sell livestock upon this Market without the assistance of a market agency, and will be furnished without discrimination reasonable facilities and services. . . .

4. MARKET AGENCIES

(b) No person will be permitted to engage in the business of selling or buying livestock on a commission basis or furnishing stockyard services as a market agency at this Market without the express permission of this Company.

(h) This Company reserves the right to revoke any permission, and withdraw the privilege of engaging in the market agency business at this Stockyard, granted to any person who fails to comply with the provisions of the Act, or the regulations, rules, or orders of the Secretary of Agriculture thereunder, or the regulations, rules, and practices of this Company, and such permission and privilege will be terminated and revoked whenever such person discontinues engaging in the market agency business at this Stockyard.

10. INTERFERENCE WITH OPERATIONS

(a) No person engaging in or doing business at this Stockyard shall solicit or otherwise interfere with the owners, carriers, or attendants of incoming livestock upon the property of this Company or upon the streets or rights

of way adjacent thereto, prior to delivery of such livestock to the consignee, or solicit or otherwise attempt to cause the reconsignment of any livestock consigned to any market agency engaging in business at this Stockyard.

(b) No person shall by word or action undertake to sell, buy, or trade on any livestock at this Stockyard until such livestock has been delivered to the consignee; or interrupt or interfere with any trading in progress on this Market; or, without their permission, enter any pen in which a seller and buyer are trading on any livestock contained therein; or engage, trade on, sell, or buy any livestock outside of regular market hours.

(c) No market agency or dealer engaging in business at this Stockyard shall, upon Stock Yard Company property, or elsewhere, nor shall any other person upon Stock Yard Company property—

(1) Solicit any business for other markets, for sale at outside feed yards or at country points, or endeavor to secure customers to sell or purchase livestock elsewhere; or

(2) In any manner divert at attempt to divert livestock from this market which would otherwise normally come to this Stockyard; or

(3) Engage in any practice or device which would impair or interfere with the normal flow of livestock to the public market at this Stockyard.

Louisville: Bourbon Stock Yard Company, Louisville, Ky. Tariff No. 17, effective May 26, 1955.

The privilege of buying, selling, and or trading in livestock on this market shall be subject to the following rules and regulations and to such other rules of the stockyard company as are reasonably necessary for the proper operation of the market.

RULE 1. OWNERS.

(b) Any owner may handle, offer for sale, and sell livestock upon this market, with or without the assistance of

market agencies or dealers, and will be furnished with suitable pens and other facilities and given service equal to that furnished in connection with livestock handled and sold by market agencies, and at the same rates for feed and services. Payment of all yardage, freight, feed, and other charges may be required upon delivery of livestock to this stockyard or before such livestock is delivered to buyer or shipped from this stockyard.

RULE 2. MARKET AGENCIES AND DEALERS.

1. No person, firm, corporation or association will be permitted to engage in the business as a market agency or dealer, of buying or selling, in commerce, livestock, on a commission basis or otherwise, or furnishing stockyard services, at this stockyard, without a license obtained from this Company, valid and effective at such time.

4. Such license will be revoked by this Company whenever the licensee shall:

(b) fail to comply with the provisions of the Packers and Stockyards Act, or of any regulation or order of the Secretary of Agriculture made thereunder, or of any rule or regulation of this Company, or of any rule, adopted or approved by this Company, to govern trading on this market, or of any condition of such license.

RULE 9. LIMITATION ON PRIVILEGE OF MARKET.

Any person, firm, corporation or association, or any partner, officer, agent, or employee thereof, violating any of these rules and regulations, or using unfair, dishonest, or fraudulent practices in respect to any transaction on this market, or destroying, defacing, or abusing the property of this Company, or in any manner tampering with or unlocking the locks, gates or doors of pens or buildings, or failing or refusing, when requested in writing, to satisfy this Company that such is not being and has not been done, shall be considered a trespasser and may be denied the privilege of this market, excluded from this stockyard and dealt with as a trespasser.

Milwaukee: Milwaukee Stockyards, Milwaukee, Wis. Tariff No. 3, effective August 1, 1954.

5 Any owners or shippers of livestock who desire to handle and sell their own stock, will be provided with suitable pens and given service equal to that furnished for stock handled through any other agency, and at the same rates for feed and service. . . .

8 No market agency, dealer or person receiving livestock at these yards shall solicit or otherwise interfere with, the owners, drivers, or attendants, of incoming vehicles transporting livestock, on the streets adjacent to or upon the property of this company prior to delivery at unloading chutes.

9 Any person, firm or corporation, by themselves or their employees, violating these rules or using unfair, dishonest or fraudulent practices and any person destroying, defacing, or abusing the property of this Company or in any manner tampering with or unlocking the locks, gates or doors of pens or buildings may be denied the privileges of these yards, treated as a trespasser and dealt with accordingly.

Ogden: The Ogden Union Stockyards Company, Ogden, Utah. Tariff No. 16, effective June 15, 1953.

10. No market agency, dealer, or their employees shall solicit, or otherwise interfere with, the owners, drivers, attendants of incoming rail, truck, wagon or drive-in stock upon the streets adjacent to or upon the property of this Company prior to delivery into holding pens, without express permission.

11. No person, without the express permission of this Company in writing, shall solicit any business in these yards for other markets, sales at outside feed yards or country points, or endeavor to secure customers to sell or purchase livestock elsewhere.

Omaha: Union Stock Yards Company of Omaha, Ltd., Omaha, Nebr. Tariff No. 18, effective July 1, 1957.

1. Owners and shippers who desire to handle and sell their own live stock will be provided with suitable pens and given service equal to that furnished for stock handled through any other agency, and at the same rates for feed and services. . . .

4. No person, firm, or corporation shall be permitted to solicit business in any of the pens, roadways, driveways, docks, or runways of this Company where live stock is handled or in the halls or lobbies of the Exchange Building, as the solicitation of business at such places tends to interfere with the proper and orderly conduct of the business.

Peoria: The Peoria Union Stock Yards Company, Inc., Peoria, Ill. Tariff No. 11, effective August 2, 1955.

3. No person, firm or corporation shall be permitted to solicit business on any roadways, chutes or docks of this Company as the solicitation of business at such places tends to interfere with the proper and orderly conduct of business.

Portland: Portland Union Stock Yards Company, North Portland, Ore. Tariff No. 19, effective April 2, 1956.

1. No person, firm or corporation shall engage in the livestock commission business or the business of dealing in livestock at these yards until such person, firm or corporation has entered into an agreement with this Company to observe and obey all rules and regulations adopted by this Company for the government of business at its stockyards; . . .

6. Any owners or shippers of livestock who desire to handle and sell their own stock, will be provided with suitable pens and given services equal to that furnished for stock handled through any other agency, and at the same rates for feed and service. . . .

9. No market agency, dealer or person receiving livestock at these yards shall solicit or otherwise interfere with, the owners, drivers, or attendants of incoming truck, wagon, or driven-in stock upon the streets adjacent to or upon the property of this Company prior to delivery at unloading chutes.

10. Any person, firm or corporation, by themselves or their employees, violating these rules or using unfair, dishonest or fraudulent practices and any person destroying, defacing or abusing the property of this Company or in any manner tampering with or unlocking the locks, gates or doors of pens or buildings, or any person gambling, or being intoxicated or bringing intoxicating liquor on the premises may be denied the privileges of these yards, treated as a trespasser and dealt with accordingly.

St. Joseph: St. Joseph Stock Yards Co., South St. Joseph, Mo. Tariff No. 19, effective October 20, 1955.

(1) No person, firm, or corporation shall be permitted to solicit business in any of the roads, driveways, or docks of this Company, where livestock is being handled, since solicitation of business at such places tends to interfere with the proper and orderly conduct of the business of this Company. Any person, firm, or corporation violating any of the provisions of this rule will be denied the privileges of the yards, treated as a trespasser, and dealt with accordingly.

(2) Any owners or shippers of livestock to these yards who desire to handle and sell their own stock without the assistance of commission men or dealers, will be provided with suitable pens and given service equal to that furnished for stock handled through any other agency, and at the same rates for feed and service. . . .

(10) Any person, firm, or corporation, before engaging in the business of buying or selling livestock on commission or otherwise, at these yards, or before purchasing any established business here, must obtain the permission or approval of this Company to do so. This Company reserves

the right to withhold its permission or approval and deny locations.

(11) It shall be a condition precedent for the commencement and continuation of business at this Company's yards or the market established by the Company therein, that every person, firm, or corporation engaging in or conducting in these yards the business of buying or selling livestock on commission or otherwise shall observe, comply with, and obey the rules and regulations of this Company for the government of business at its stockyards, . . .

St. Louis (National): St. Louis National Stockyards Company, National Stock Yards, Ill. Tariff No. 9, effective October 19, 1956.

SECTION XV

Any firm, corporation or individual by themselves or their employees, detected using unfair, dishonest or fraudulent practices will be denied the privileges of these Stockyards, treated as trespasser and dealt with accordingly.

St. Louis (Mississippi Valley): Mississippi Valley Stockyards, St. Louis, Mo. Tariff No. 8, effective January 19, 1953.

1. All firms, corporations or individuals, by themselves and their attorneys must abide by the rules adopted by the Mississippi Valley Stockyards for the government of business at these yards and whenever the Company shall come into possession of evidence that any firm, corporation or individual, by themselves or by their employees, have violated any of these rules or have committed illegal acts on the premises of the Stockyards, such persons, firm or corporation may be denied the privilege of the yards, treated as trespassers, and dealt with accordingly.

St. Paul: St. Paul Union Stockyards Company, South St. Paul, Minn. Tariff No. 26, effective February 7, 1957.

8. No market agency, dealer or person receiving livestock at these yards shall solicit or otherwise interfere with, the owners, drivers, or attendants of incoming truck or driven-in stock upon the streets adjacent to or upon the property of this Company prior to delivery at unloading chutes.

15. Rule for the establishment of business of buying and selling livestock in commerce or furnishing stockyards services:

(A) Except as provided in these regulations, no person, firm, corporation or association will be permitted to engage in the business as a market agency or dealer of buying or selling in commerce, livestock on a commission basis or otherwise, or furnishing stockyards services at this stockyards, without entering into a contract substantially in the form shown hereinafter set out, with the Company for the conduct of such business. . . .

(D) Such contract will be cancelled and all privileges withdrawn and permission terminated and revoked by this Company whenever the party to such a contract shall:

(2) fail to comply with the provisions of the Packers and Stockyards Act, or of any regulation or order of the Secretary of Agriculture made thereunder, or of any rule or regulation of this Company, or of any rule adopted or approved by this Company, to govern trading on this market.

(F) This Company will not permit, without the express consent of this Company, any person to engage in business or to be employed at this stockyards who has engaged in activities or practices of a dishonest or fraudulent character liable to affect the prestige of this market and the volume of livestock movement, or cause damage to this Company or others authorized and permitted to engage in business at this stockyards, regardless of whether such ac-

tivities or practices may have been the subject of administrative or court proceedings under the Act resulting in the imposition of sanctions or penalties.

Salt Lake: Salt Lake Union Stock Yards, North Salt Lake, Utah. Tariff No. 8, effective May 1950.

RULE 1:

Any person, firm, or corporation, before engaging in the business of buying or selling live stock on commission or otherwise, at these yards, or before purchasing any established business here, must obtain the permission or approval of this Company to do so. . . .

RULE 2:

Owners or shippers of livestock who desire to handle or sell their own stock, without the assistance of commission firms or dealers, will be provided with suitable pens and given the same service as for stock handled through such agencies, and the same rates for feed, yardage, etc.

RULE 8:

No market agency, dealer, or their employees shall solicit, or otherwise interfere with, the owners, drivers, attendants of incoming rail, truck, wagon or drive-in stock upon the streets adjacent to or upon the property of this Company prior to delivery into holding pens, without express permission.

San Antonio: Union Stock Yards San Antonio, Inc., San Antonio, Texas. Tariff No. 13, effective May 1, 1955.

NO. 2. THE PRIVILEGE OF THE MARKET

(b) This Company offers to grant to persons (which term includes individuals, partnerships, corporations, or associations) the privilege of selling, buying or trading in livestock at this Market, or otherwise of engaging in appropriate business at this Stockyard, subject to the rates,

charges, and regulations of this Company published and filed with the Secretary of Agriculture, the provisions of the Act, and the applicable regulations of the Secretary of Agriculture, and these and any other regulations, rules, or practices of this Company established for the conduct and operation of this Stockyard.

No. 3. Owners of Livestock

(c) Any owner may handle, offer for sale, and sell livestock upon this Market without the assistance of a market agency, and will be furnished without discrimination reasonable facilities and services. . . .

No. 4 Market Agencies

(b) No person will be permitted to engage in the business of selling or buying livestock on a commission basis or furnishing stockyard services as a market agency at this Market without the express permission of this Company.

(h) This Company reserves the right to revoke any permission and withdraw the privilege of engaging in the market agency business at this Stockyard, granted to any person who fails to comply with the provisions of the Act, or the regulations, rules or orders of the Secretary of Agriculture thereunder, or the regulations, rules and practices of this Company; and such permission and privilege will be terminated and revoked whenever such person discontinues engaging in the market agency business at this Stockyard.

No. 10 Interference With Operations

(a) No person engaging in or doing business at this Stockyard shall solicit or otherwise interfere with the owners, carriers, or attendants of incoming livestock upon the property of this Company or upon the streets or rights of way adjacent thereto, prior to delivery of such livestock to the consignee, or solicit or otherwise attempt to cause the reconsignment of any livestock consigned to any market agency engaging in business at this Stockyard.

(b) No person shall by word or action undertake to sell, buy or trade on any livestock at this Stockyard until such

livestock has been delivered to the consignee; or interrupt or interfere with any trading in progress on this Market; or, without their permission, enter any pen in which a seller and buyer are trading on any livestock contained therein.

(c) No market agency or dealer engaging in business at this Stockyard shall, upon Stock Yard Company property, nor shall any other person upon Stock Yard Company property—

(1) In any manner divert or attempt to divert livestock from this market which would otherwise normally come to this Stockyard; or

(2) Engage in any practice or device which would impair or interfere with the normal flow of livestock to the public market at this Stockyard.

San Francisco: South San Francisco Union Stockyards, South San Francisco, Calif. Tariff No. 8, effective March 25, 1957.

8. No person, firm or corporation shall engage in the livestock commission business or the business of dealing in livestock at this yards until such person, firm or corporation has entered into an agreement with this Company to observe and obey all rules and regulations adopted by this Company for the government of business at its stockyards; . . .

9. No market agency, dealer or person receiving livestock at this yards shall solicit or otherwise interfere with the owners, drivers or attendants of incoming truck, wagon or driven-in stock upon the streets adjacent to or upon the property of this Company prior to delivery at unloading chutes.

Sioux City: The Sioux City Stock Yards Company, Sioux City, Iowa. Tariff No. 16, effective June 4, 1957.

5 Any owners or shippers of live stock who desire to handle and sell their own stock, will be provided with

suitable pens and given service equal to that furnished for stock handled through any other agency, and at the same rates for feed and service. . . .

8 (a) No person, firm or corporation shall engage in business as a market agency or the business of dealing in live stock at these yards until such person, firm or corporation has entered into an agreement with this Company to observe and obey all rules and regulations adopted by this Company for the government of business at its stock yards; . . .

9 No market agency, dealer or person receiving live stock at these yards shall solicit, attempt to cause reconsignment, or otherwise interfere with the owners, drivers, or attendants of incoming truck live stock upon the streets adjacent to or upon the property of this Company.

Sioux Falls: Sioux Falls Stock Yards Company, Sioux Falls, S. D. Tariff No. 12, effective May 6, 1957.

5 Any owners or shippers of live stock who desire to handle and sell their own stock, will be provided with suitable pens and given service equal to that furnished for stock handled through any other agency, and at the same rates for feed and service. . . .

8 a. No person, firm or corporation shall engage in business as a market agency or the business of dealing in live stock at these yards until such person, firm or corporation has entered into an agreement with this Company to observe and obey all rules and regulations adopted by this Company for the government of business at its stock yards; . . .

9 No market agency, dealer or person receiving live stock at these yards shall solicit, attempt to cause reconsignment, or otherwise interfere with, the owners, drivers, or attendants of incoming truck livestock upon the streets adjacent to or upon the property of this Company.

Stockton: Stockton Union Stockyards, Stockton, Calif. Tariff No. 6, effective April 8, 1957.

1.(A) No person, firm, corporation, or association will be permitted to engage (or, if already so engaged, continue beyond December 31, 1954, to engage) in the business, as a market agency or dealer, of buying or selling in commerce, livestock, on a commission basis or otherwise, or furnishing stockyards services, at this stockyards, without entering into a contract in the form set forth below, or in such other form as the Company may, from time to time, prescribe:

8. Subject to the terms and conditions of this contract, SECOND PARTY hereby agrees to conduct its business in such a manner as will promote the best interests and welfare of this market, and SECOND PARTY agrees expressly that none of its operations will be conducted in any manner detrimental to the best interests of STOCKYARDS COMPANY. It is expressly understood and agreed that SECOND PARTY will take every reasonable action to promote the flow of livestock to this stockyards.

SECOND PARTY expressly agrees to conduct, in good faith, substantial business operations at this stockyards. It is further expressly understood and agreed by the parties that, in determining whether SECOND PARTY is, in good faith, conducting substantial business operations at this stockyards, STOCKYARDS COMPANY may take the following factors into consideration without, in any wise, being limited thereto; (a) the relationship which the volume of business conducted by SECOND PARTY at this market bears to the total volume of business conducted by all market agencies or dealers, as the case may be, at this market, computed on a per head basis by species; (b) if SECOND PARTY engages in business at places elsewhere than at this stockyards, the relationship which the business of SECOND PARTY conducted at this stockyards bears to the total business of SECOND PARTY, computed on a per head basis by species; (c) and the activities, if any of SECOND PARTY which evidence an intent or purpose on the part of SECOND PARTY, or any officer or employee thereof, or of any other person, firm, corporation or association affiliated or associ-

ated therewith, to prevent the flow of livestock to this stockyards. For the purpose of determining compliance with this provision of this contract, SECOND PARTY agrees to report annually to STOCKYARDS COMPANY the amount of business conducted at this stockyards and away from this stockyards by SECOND PARTY, setting forth the number of head of each species so handled under each category.

(C) The Company reserves the right to cancel, or to refuse to renew, any such contract, as aforesaid, with any market agency or dealer buying or selling livestock on a commission basis, or otherwise, or furnishing stockyards services at this stockyards, if such market agency or dealer shall:

(3) fail to conduct, in good faith, substantial business operations at this stockyards during any term of such contract: PROVIDED, THAT, in determining whether any such market agency or dealer is, in good faith, conducting substantial business operations at this stockyards, the Company shall take into consideration, but shall not be limited to, the following factors:

(a) the relationship which the volume of business conducted by any such market agency or dealer at this stockyards bears to the total volume of business conducted by all market agencies or dealers at this stockyards (computed on a per head basis by species);

(b) if such market agency or dealer engages in business at places elsewhere than at this stockyards, the relationship which the business of such market agency or dealer conducted at this stockyards bears to the total volume of business of such market agency or dealer (computed on a per head basis by species); and

(c) the activities, if any, of such market agency or dealer which evidence an intent or purpose on the part of such market agency or dealer to prevent the flow of livestock to this stock-stockyards;

(6) . . . do anything to detract shippers of livestock in the natural trade territory of this stockyards from shipping their livestock to this stockyards, or

(7) fail to take every reasonable action to promote the flow of livestock to this stockyards.

8. No market agency, dealer, or person receiving livestock at this yards shall solicit or otherwise interfere with the owners, drivers or attendants of incoming livestock upon the streets adjacent to or upon the property of this Company prior to delivery at unloading chutes.

Wichita: The Wichita Union Stock Yards Company, Wichita, Kansas. Tariff No. 13, effective March 5, 1955.

(A) BOND AND OTHER REQUIREMENTS:

No person, firm or corporation shall engage in the livestock commission business or the business of dealing in livestock at these yards until such person, firm or corporation has entered into an agreement with this Company to observe and obey all rules and regulations adopted by this Company for the government of business at its stock yards; . . .

(C) SOLICITING ON STOCK YARDS COMPANY'S PREMISES NOT ALLOWED:

No person, firm or corporation shall be permitted to solicit business in any of the pens, roadways, driveways, docks, or runways of this Company where livestock is handled or in the halls or lobbies of the Exchange Building, as the solicitation of business at such places tends to interfere with the proper and orderly conduct of the business.